Scott. II-37—45,000—15-11-36.

# Home (1936) Department.

Home SERIES.

G.O. No. 1748

DATED 11 — 8 — 36

NV

[Despatch Abstract.]

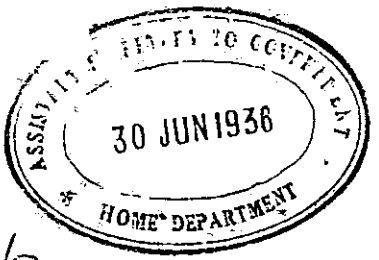
Magistrates:-

Bellary Court. Bellary - M.R.Ry. P.Ramachandriah Garu, late Honorary Magistrate - Appeal to the Governor General in Council against withdrawal of powers - Reconsideration of - Refused.

G.O.No.2,250 Home dated 28th May 1936 - Refused.

Home 151 9
-30.6.36.

OFFICE OF THE PRIVATE SECRETARY TO THE VICEROY.




No. 1347-S.P.

Home Dept loo
-Ltr 29.6.36

OFFICE MEMORANDUM.

Transferred to the Chief Secretary to the Government of Madras.
A formal acknowledgment has been sent to the enclosed.

R.V.K. Shyam
for Assistant Private Secretary to the Viceroy.

Simla;
~~Delhi~~

The 4th JUNE 1936

DOCUMENTS ACCOMPANYING:
One letter

P. S. V. 3.

MGIPC—S1—51 PSV—19-7-33—3,000

PULLAPANT. RAMACHANDRIAH
EX-HONORARY MAGISTRATE
పుల్లాపంతుల రామచంద్రయ్య,
ఆనరరీ మేజస్ట్రేటు. బ ళ్ళా రి.

BELLARY

Date 15th June 1936

(appeal to the Govt. of India)

To His Excellency
Lord Linlithgow Esquire P.C. G.C.I.E. G.C.M.G
Viceroy & Governor-General of India in Council
New Delhi.
Simla

may it please your Excellency,

The humble appeal of P. Ramachandriah - now ex-Honorary Magistrate, Bellary - Madras Presidency against the withdrawal of powers as Honorary Special Magistrates for the following grounds

1/ That this petitioner is a loyal British Subject serving the Crown, the God and the Country for the last about 2 decades.

2/ In the confidential registers under double locks with the District Magistrates, this petitioner's conduct and character have been testified to be good both in Kurnool District & in this Bellary District wherever he lived. Letters from (1) the clerk of the Parliament-London (2) Sir K.V. Reddi are enclosed.

3/ That this petitioner ought to have been recommended for suitable recognition of services and allowed to continue as an Honorary Special Magistrate for ever, - atleast for the end of the term of 3 years as it is honorably held in high esteem in the eyes of the public, as I was held in high esteem

4/ That this petitioner has made a reference to the Local Government of Madras to interfere in the matter under section 37 of the code of criminal Procedure but on the other hand, instead of restoring the Presidentship have removed him and withdrew the Magistrateship. It means that one who was President is unfit even for a membership in the bench. This humble petitioner prays that the District Magistrate Bellary may be asked to submit the confidential sheets direct to your Excellency, (2) to report whether this petitioner has lead a deputation to Simla to H.E the Viceroy in 1929 from Madras Presidency in re Sarda Act and thus restore him to the Magistrateship. P. Ramachandriah

15-6-36 Bellary

[Appeal to the Viceroy]

PULLAPANT. RAMACHANDRIAH
HONORARY MAGISTRATE
పుల్లాపంతుల రామచంద్రయ్య,
ఆనరరీ మేజస్ట్రీటు, బళ్ళారి.

BELLARY

3 Date June 15th 1936

To

His Excellency
Lord Linlithgow Esq: G.C.M.G. C.C.I.E.
Viceroy of India
Simla

May it please your Excellency,

The humble appeal of P. Ramachandriah Land Lord. Bellary, most respectfully Showeth:—

1/. That this humble petitioner is a loyal British Subject. He has been actually aiding the Reforms granted from time to time and in 1921 stood up for M.L.C. of madras Council

2/. That this humble petitioner has been serving The God, The Crown & the Country since 2 decades as "President Temple Committee (2) President Bench Courts both at Kurnool & now recently at Bellary.

3/. Them are confidential registers with the District Magistrates and there it is mentioned "I rarely come across with men of such calibre, who are working honestly, deligently and conciensiously in non-remiinerative posts with the main idea of serving both the Crown & the public"

B 4/. That this humble petitioner has submitted herewith (1) Letter from Sir K.V. Reddi (2) Joint Parliamentary Committee London (3) Diwan Bahadur N. Gopalaswami Iyengar, Member Board of Revenue, Madras. (4) Letter from the District Magistrate Bellary endings Temple Entry Bill & other Bills for my opinion and lastly withdrawal of Powers of Special Honorary Magistrate upon tales carried.

I 14 infra B

that this humble petitioner ought to have been recommended for Such Suitable recognition of services and ought to have been allowed to continue till the end of the term

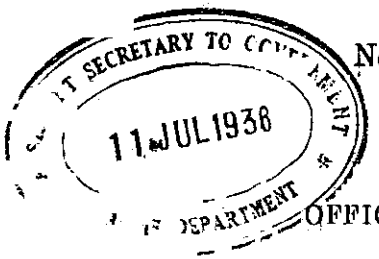
6/. That this humble petitioner thought that the Madras Local Govt. would view with sympathy and interfere under section 37 Cr. Pro: Code by restoring me to the Vice Presidentship but on the other hand withdrew the Special Magistrateship.

The goal of the Local Governments as well must be to link different races by bonds of union & brotherhood, while avoiding anything which may tend to emphasize those sectarian or sectional differences. Pray that your gracious Excellency would be pleased to re instate this petitioner as Honorary Magistrate a Bellary.

your Excellency's most loyal and humble Subject
P. Ramachandriah
Land Lord. Bellary

4 to 6 Home 258 9

OFFICE OF THE PRIVATE SECRETARY TO THE VICEROY. 11.7.38




No. 1423 - G.P.

OFFICE MEMORANDUM.

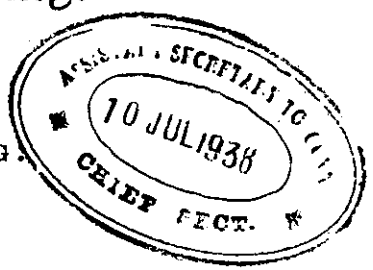
Transferred to the Chief Secretary Home Dept to the Govt of Madras.

R.H. Clymer

Assistant Private Secretary to the Viceroy.

Simla;
~~Delhi~~

The 5-7 1938.




DOCUMENTS ACCOMPANYING.

P. S. V. 3.

MGIPC—S1—51 PSV—19-7-33—3,000

"Appeal to H. E. The Viceroy.

To

His Excellency
The Viceroy & Governor-General of India
Simla.

May it please your Excellency,

The appeal petition of P. Ramachandriah, Land Lord, Bellary (Madras Presidency) respectfully sheweth

1/ That this petitioner is a loyal British subject and has been serving The Crown & Country since 2 decades

2/ That this petitioner has aided Montford Reforms and stood up for M.L.C of Madras in 1921.

3/ That this petitioner submits that he was appointed on or about 22-3-1935 in G.O.R. 216 of $22\frac{3}{35}$ as an Honorary special Magistrate at Bellary upon a perusal of Confidential sheets sent by the District Magistrate of Kurnool District in which it is clearly stated that this petitioner is a land lord and has been honest in his duty.

4/ That this petitioner acted as President of Temple Committee in Kurnool District for a long time and was permanent Vice President of the Bench Courts both at Kurnool & at Bellary till recently.

5/ That this petitioner has submitted on 17-6-1936 an appeal petition with a few enclosures viz (1) from the President, Joint Parliamentary Committee, London; (2) from H.E. Sir K.V. Reddi, the Acting Governor of Madras, (3) from The Hon'ble Diwan Bahadur, N. Gopalaswami Iyengar Madras, preferred against the order of the Government of Madras, removing me from the Magistrateship of the Bench Court Bellary.

6/ That this petitioner submits that the goal of the I.C.S both nominated in India & in England and the Local Governments must be to link different races by bonds of mutual and brotherhood, while avoiding anything which may tend to emphasize those sectarian or sectional differences

7/ That this petitioner is held in high esteem both at Kurnool & Bellary and acted as Honorary Organiser of Village Panchayats in Kurnool District for 3 years under the above Revenue Bd. Members

That this petitioner prays your Excellency's Government will be pleased to reconsider my credentials & appointments held hitherto and thus reappoint this petitioner as Honorary Magistrate at Bellary and to recognise the services suitably by awarding a title.

Bellary
3-6-36

your Excellency's humble subject,
P. Ramachandriah
Land Lord Bellary.

PULLAPANT. RAMACHANDRIAH
Ex HONORARY MAGISTRATE
పుల్లాపంతుల రామచంద్రయ్య,
ఆనరరీ మేజస్ట్రీటు, బళ్ళారి.

6 chlett Home 288 G
Bompw
13/7

BELLARY
Date July 9th 1936.

To

The Chief Secretary
Government of Madras
Fort St. George

UNDER SECRETARY
13 JUL 1936
CHIEF SECRETARIAT

3 JUL 1936
HOME DEPARTMENT

Sir,

His Excellency the Viceroy & Governor-General of India in D.O. 1347/G.P. Simla 24th June 36 was very much pleased to reply me that all communications in re my appeal preferred against removal of Hon'y Magistrateship at Bellary by the Govt. of Madras, should be addressed to the Chief Secretary Govt. of Madras.

I have submitted on 30th June 36 another Communication stating inter alia that I have worked for these 20 years in my un-remunerative posts honestly under the Government of Madras and to meet the ends of Justice, that I may be reappointed

7

Page 2

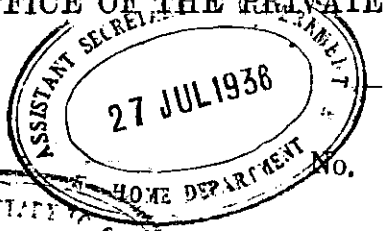
as Honorary Magistrate at Bellary.

Pray that adequate orders may be passed early after reference to the District Magistrate of Kurnool District.

I beg to remain
Sir,
Your most Obedient Servant,
P. Ramachandriah
Land Lord.
Bellary.

8 19 Home 4156 27.7.36

OFFICE OF THE PRIVATE SECRETARY TO THE VICEROY.




No. 1657 -S.P

Home Dept Pol
B 37/7 1936

OFFICE MEMORANDUM.

Transferred to the Chief Secy. to the Madras Govt.

27/7

E.J.L. Slynn
for Assistant Private Secretary to the Viceroy.

Simla;
~~Delhi~~

The 23.7. 1936.

DOCUMENTS ACCOMPANYING:

1 Letter. 27/7/36

P. S. V. 3.

MGIPC—S1—51 PSV—19-7-33—3,000

PULLAPANT. RAMACHANDRIAH
HONORARY MAGISTRATE
పుల్లాపంతుల రామచంద్రయ్య,
ఆనరరీ మేజస్ట్రేటు, బళ్ళారి.

Appeal. 9

BELLARY

Date July 9th 1931

To His Excellency
The Viceroy & Governor-General of India
Simla

May it please your Excellency,

Your Excellency was pleased to inform me in D.O. No. 1347/G.P. dated 24th June 31 to my appeal preferred against the order of withdrawal of powers of Special Magistrate Bellary by the Government of Madras, to send all future communications to the chief secretary Govt. of Madras.

The District Magistrates of Kurnool & Bellary are maintaining confidential sheets in my name since these 20 years as I worked in ~~various~~ various capacities in unremunerative posts honestly.

The Government of Madras have not been pleased to send me any reply as your Excellency was pleased.

Pray that your Excellency will be pleased to pass adequate orders on this

my humble request to reappoint me as Honorary Magistrate at Bellary to meet the ends of Justice.

Yours Excellency's
Most Obedient & humble Subject
D. Ramachandriah
Land Lord
Bellary

PULLAPANT. RAMACHANDRIAH
HONORARY MAGISTRATE
పుల్లాపంతుల రామచంద్రయ్య,
ఆనరరీ మేజస్ట్రేటు, బ శ్రా ర.

Home 4007
BELLARY 25/7/36

Date 24th July 1936

ASSISTANT SECRETARY TO ... 1936 ... SECT

ASSTT 25 JUL 1936 HOME DEPARTMENT

To

The Chief Secretary
Government of Madras
Madras

Home Dept.
25/7

Sir,

Subject :— Removal of Hony Magistrateship Bellary District - Appeal to H.E. The Viceroy at Simla

1/ This petitioner is a loyal British Subject, and has been serving the God, Crown & Country since 2 decades

2/ This petitioner was President of Temples Committee and of Charitable Endowments in Kurnool District till Sep: 1933 The District Magistrate of Kurnool District has sent extracts from Confidential Register to Bellary District Magistrate and on the perusal of the same, this petitioner was appointed as Hon'ble Magistrate in Bellary also in March 1935 & in March 1936, this petitioner was removed from the Presidentship and Hon'ble Magistrateship subsequently.

3/ H.E. The Viceroy has been pleased to reply me in D.O. 1347 - 24-6-36 & in D.O. 1443 - 30-7-36 and has informed me to address you. Hence I pray that I may be re-appointed as Hony Magistrate at Bellary.

P. Ramachandriah
Land Lord Bellary

Home 5526
7.8.36 Bellary

Date 3rd August 1936

To

The Chief Secretary
Government of Madras
Cotacamund

Honored Sir

I beg to bring to your Kind notice that I had already addressed His Excellency the Viceroy & Governor-General of India on 15th June 1936 with reference to a personal matter namely my appointment as Vice President of the Bench Court at Bellary, in which capacity I acted for a long period both in the Districts of Kurnool & Bellary.

Home Secretary's Office 7/8 1936

His Excellency the Veeroy's Private Secretary had Kindly replied to me in his letter D.O. 1347/G.P. & 1445/G.P. dated 24th June '36 and 5th July 1936 respectively that my 2 letters addressed to His Excellency have been forwarded to yourself and directing me to address you on the subject.

May I earnestly request you to be so good as to peruse my petitions sent to H.E. the Viceroy which have been forwarded to you by His Excellency's private Secretary and favourable orders; for which act of generosity, I for ever pray.

I beg to remain,
Honored Sir,
Your most Obedient Servant

P. Ramachandriah
Land Lord & Moral
& Religious Lecturer of the
Junior certified School
Bellary

3.VIII.36.

Home 1916 Bellary
b.7.86 29th June 1936.

To

The Chief Secretary
Government of Madras
Coty

Sir,

The Private Secretary to His Excellency The Viceroy & Governor-General of India, from Viceregal Lodge Simla, in D.O. No. 1347/G.P. dated 24th June 1936 informed me that I must send all my communications on the subject to you in future.

Ch. Sec'll

In connection with the [illegible] of Vice-Presidentship and with regard to the withdrawal of Honorary Magistrateship at Bellary, I like to add the following also for the kind consideration of the Government of Madras:-

Home-no 2/7

(1) I was a prize-winner in Wardlaw College Bellary and Mr. J.P. Cotelingam M.A; gave free scholarship throughout the education career and he congratulated me when I acted as President IIclass Bench at Kurnool. This letter is still kept in Dist Magistrates Office records in Bellary. Though I demanded it, it was not done so.

(2) So also Mr. M. Gopalaswami Modaliar B.A.B.L. His letter also is in the District Magistrates Office at Bellary and not yet returned to me. So also Kurnool District Magistrate's Order appointing me as Vice-Presidentship at Kurnool. What is the reason

(3) In 1934 the then District Magistrate F.W. Stevens Esq CIE. I.C.S, wrote to the District Magistrate Kurnool to send back the confidential Sheets relating to my conduct, character, intregity and after a kind perusal only, I was appointed by T. Bhaskar Rao I.C.S. Esq as Honorary Magistrate at Bellary after he was satisfied fully in his heart

(4) I request that a thorough enquiry, if needed, may be made at Kurnool and in Bellary both in official circles & non-official circles, here I am held in high esteem.

(5) The Supt. Junior Certified School (Reformatory School for Juvenile offenders) Bellary Cantt twice recommended my name for a title to the District Magistrate Bellary and in his Letter No. 2733 dated 26-12-1935 recommended strongly also on the explanation of Mr. I.R. Naidu the Offg President Bench Court Bellary as "I think the matter may be dropped" and no further action is necessary." Pray I be may be reappointed as Magistrate, Bellary in the light of the above records.

P. Ramachandra Rao
Bellary

ASSISTANT SECRETARY TO GOVERNMENT
5 - JUL 1936

D 12 Home (G) Department.

Magistrates - Bench Court, Bellary - M.R.Ry P.Ramachandriah Garu - Withdrawal of powers.

Refce petitions from Mr. P.Ramachandriah

(1) to the Govr Genl in Council d. 15-6-1936
(2) to the Viceroy, dated 26-6-1936
(3) to the Chief Secy. to Govt, d. 29-6-1936
(4) to the Chief Secy to Govt., d. 9-7-1936

Mr. P.Ramachandriah's powers as a magistrat on the Bench of Magistrates at Bellary were withdrawn as he was reported to be deliberately causing obstruction to the working of the Bench, and to be using his office of Bench Magistrate as a means of livelihood - vide D.M's report on pp 11-12 of G.O. No. 230 Home. dated 22-5-1936. Mr. Ramachandriah has appealed to the Governor General in Council and the Viceroy and the petitions have been transferred to this Govt by the P.S.V. There does not seem to be any case for reconsideration of the orders passed in G.O. No. 230 Home, dated 22-5-1936.

2. As the petition is addressed to H.E. the Governor General in Council, it should be formally withheld under the memorial rules. According to the instruction 7(4) of Instructions for the submission of petitions to the Governor-General in Council, the Local Govts may at discretion withhold a petition addressed to the Governor General in Council when it is an appeal

14-G-2-

against a decision which by any law or rule having the force of law is declared to be final. Although Section 41 Cr. P.C. gives power to the Local Govt to withdraw all powers conferred under the Code, this section does not specifically declare the Local Govt's decision to be final. The petition cannot therefore be withheld under this rule. Another relevant rule is instruction 7(17)(b)(iii) which says that the Local Govt may at discretion withhold a petition when the petition is a representation relating to the application of an order of the Local Govt refusing to grant or to recommend any pecuniary or other concession to which the petitioner is not entitled under any law or statutory rule. As the petitioner in the present case is not entitled under any law or statutory rule for reinstatement or reappointment as a Bench Magistrate, it seems that the petition can be withheld under this rule.

The petition dated 26-6-1936 is addressed to H.E. the Viceroy. According to the notes on pp. 9-10 of G.O. 1243 Law (Genl) dated 20-4-1934, no distinction is made between petitions addressed to the Governor General in Council and H.E. the Viceroy, under the existing Govt of India Act. This petition may also be withheld under the same rule.

A draft order is submitted for approval.

Revision

S

I do not see the reasons in regard to A above. Who has any power or authority to question or overrule the Local Govt's order?

2. He does not appear to have sent a copy of the order appealed against. This is apparently an appeal against some specific order & I do not think the circumstance quoted is material or relevant.

HS
26/7

R/S.
27.

Para 2 of the Secretary's note above:- The petitioner has sent a copy of the order appealed against - vide portions marked B on p. 3 c.f. and the copy of G.O. R. 230 Home, dated 22-5-1936 on p. 14 c.f. Please see also the portions side-lined in pencil on pp 2, 15 and 17 c.f. It does not appear that the petitioner is referring to any order other than the one referred to in para 1 on p. 1 ante.

Seen the order at p 14 c.f.
HS
J.S.

(R)

Para 1 of the Secretary's note above:- Section 41 Cr.P.C. states that "the Local Govt may withdraw all or any of the powers conferred under the code on any person by it or by any officer subordinate to it. There is no specific provision in the Code empowering any other authority to review the Local Govt's order. The order under section 41 is therefore final. What was meant by the statement at A on p. 2 ante was that the case cannot be brought under the strict letter of Instruction 7(4) of the Instructions regarding the submission of petitions to H.E. the Governor General in

× on p. 1 ante

15 15

in Council which refers to a decision which is declared to be final.

3. Two further petitions from the petitioner on the same subject, since received are at pp 19-21 c.f. The petition at p 20 c.f. addressed to H.E. the Viceroy may also be withheld. The draft put up has been added to.

M 30/7 If it is considered that rule 7(4) of the rules regarding submission of petitions to H.E. the Governor General should be applied in this case the alternative draft order now put up is for approval.

PLSK 30-7.

1/8

5 — Seen by Secy - PJ 3/8

A revised draft order as ordered by Secretary is submitted

PLSK 4.8.

5/8

Revised draft-order is submitted with reference to the Asst. Secretary's remarks in the margin.

PJ 10/8.

PLSK 11/8

11/8

There are rules under which petitions in Z. Pol. may be withheld.

5/8

CN. 1467 E

The file is enclosed.

M 6/8. Why don't you put up a revised draft order as directed by Secy on this principle instead of wasting his time?

8/8

H 1 1

21/11/8

C.F. 16.

# DRAFT FOR APPROVAL.

Home (G) Deptt

| | Date. | Initials. |
|---|---|---|
| When received for fair copying ... | | |
| When copied ... | 11/8 | |
| When examined.. | | |
| When signed ... | | |
| When despatched. | | |

SUBJECT :—

Registration - Bench Court, Bellary
MRRy P. Ramachandraiah Garu, late Honorary Magistrate - Appeal to the Governor General in Council against withdrawal of powers - Reconsideration of orders passed in GO R 230 Home d. 22.5.36 - Refusal

READ AGAIN GO R 230 Home, dated 22-5-36 19....

" " ..... " ..... 19....

READ *ALSO* :—

No. ..... From the P.S.V. No 1347-CP, No. & ~~dated~~, dated 24-6-1936 Pr H4 cf
" MRRy P. Ramachandraiah Garu d 25.6.36 - Pr 16 cf
" ..... " the P.S.V. No 1443-GP, d. 5-7-36, - Pr 17-19 cf
MRRy. P. Ramachandraiah Garu & 9-7-36 - Pr 19 cf
" ..... " the P.S.V. No 1652 G, P. d. 23-7-36. — 19 Pr 19-20
MRRy P. Ramachandraiah Garu & 24-7-36 & - Pr 21 cf
— do — & 3-8-36 19:— Pr 22 cf

Order / Resolution — Mis. / Rout. No. 1748, dated 11-8-36

of draft in the linked file
CN 1467E.

The Govt. to whom the petitions addressed to HE the Governor General in Council by MRRy P. Ramachandraiah Garu have been transferred decline to comply with the petitioners' request.

PM 10/8 PGX 10/8

BR 11/8

To

MRRy P. Ramachandraiah Garu
late Honorary Magistrate,
Bellary

(with Pr 4-15 cf returned in orgl - To be sent by regd post

Copy to the DM, Bellary.

12/8/36